

Regular Session, 2010

HOUSE BILL NO. 808

BY REPRESENTATIVE TIM BURNS

PRIVILEGES/LIENS: Provides relative to privileges and liens for certain assessments

1 AN ACT

2 To enact R.S. 9:5504, relative to liens and privileges; to provide relative to the recordation  
3 of liens and privileges; to require the recordation of liens and privileges in certain  
4 circumstances; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 9:5504 is hereby enacted to read as follows:

7 §5504. Privileges and liens in favor of state, parish, or municipal bodies

8 Liens and privileges against property granted in favor of parishes or  
9 municipalities for assessments for public improvements or for reasonable charges  
10 imposed on property pursuant to the provisions of R.S. 33:1236, 4752, 4753, 4754,  
11 4766, 5062, or 5062.1, or R.S. 13:2575 are not effective against third parties until  
12 filed in the mortgage records. If the liens or privileges are placed on the ad valorem  
13 property tax bill, the sheriff shall remove them upon request of an interested party  
14 whose interest in the property was acquired prior to the recording of the lien in the  
15 mortgage records.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Tim Burns

HB No. 808

**Abstract:** Requires liens and privileges for local assessments and charges to be recorded in the mortgage records in order to be effective against third parties.

Present law (C.C. Art. 3338 and 3340) requires certain instruments affecting the rights in immovable property to be recorded in the mortgage or conveyance records in order to have effect as to third parties.

Proposed law provides that liens and privileges against property granted in favor of parishes or municipalities for assessments for public improvements or for certain statutorily authorized charges imposed on property are not effective against third parties until filed in the mortgage records.

Proposed law provides that if liens or privileges are placed on the ad valorem property tax bill, the sheriff shall remove them upon request of an interested party whose interest in the property was acquired prior to the recording of the lien in the mortgage records.

(Adds R.S. 9:5504)